

Youth Newspaper Delivery Assistant Dies in Motor Vehicle Collision

SUMMARY: A 17-year-old male newspaper delivery assistant (the victim) was a passenger in an automobile that burst into fire after it was struck from behind by another vehicle. The victim was seated in the front passenger seat of the auto driven by an newspaper carrier (co-worker) who employed the youth as a casual worker to assist with the driver's daily newspaper delivery route. The incident occurred shortly after sunrise while the co-worker was pulling the vehicle off a two-lane county road. She was traveling at about 5 miles per hour, and steered the auto partially onto the shoulder of the southbound lane. Neither the victim nor the co-worker were wearing seatbelts at the time of the collision. An automobile was traveling at about 55 miles per hour in the southbound lane and struck the back of the newspaper delivery workers' auto. The impact pushed the workers' auto into the ditch and caused it to overturn onto the driver's side and burst into flames. The victim was tossed into the back seat by the collision, and the co-worker was ejected from the passenger side window. A resident of a house situated near the collision site ran outside when she heard the crash. She saw the co-worker lying in the road in front of the burning car, and pulled her away from the flames. A driver in another vehicle saw the burning vehicles from his rear-view mirror and summoned emergency services with his cell phone. The sheriff arrived at the scene within four minutes, followed by the fire department and EMS. After the flames were extinguished, the victim was extricated from the vehicle. He was pronounced dead at the scene. The drivers of both vehicles survived the collision, and were taken to the hospital. The FACE investigator concluded that, to prevent similar occurrences, employers should:

- **equip vehicles that must travel slowly and/or stop frequently with high-visibility flashing lights that can be seen from all directions. Confirm if such equipment is allowed under state law in the jurisdiction where the employer is operating.**
- **ensure all travelers are trained in the proper use of vehicle safety features and drivers are trained in safe driving practices.**

Additionally, agencies responsible for setting standards for highway safety should:

- **develop and enforce requirements for all occupants of moving vehicles to use occupant restraint systems whenever the vehicle is in motion.**

INTRODUCTION:

On August 27, 2000 a 17-year-old male newspaper delivery assistant died when the car he was riding in was involved in a collision with another vehicle on a county road. The Wisconsin FACE field investigator learned of incident from a newspaper article on August 28, 2000. On September 6, 2000, the field investigator initiated the investigation. The FACE investigator visited the highway location of the incident, reviewed the death certificate, the coroner, sheriff, and state climatologist's reports, and discussed the event with state and federal child labor officials and state highway safety officials. The employer was unavailable for interview due to the long-term effects of the injuries she received in the collision.

The youth (victim) had worked for the newspaper carrier as a casual employee for six months. He was a high school student, and had been employed for about six months by a newspaper carrier (co-worker) for a local daily newspaper company. The co-worker paid the victim to help out on the early morning delivery route by placing the newspapers in the newspaper boxes while the co-worker drove the route. The co-worker was an independent contractor for the newspaper company, and was aware of the company's policy of prohibiting workers under age 18 from driving on a newspaper delivery route. The co-worker had delivered papers for this company for over 20 years.

INVESTIGATION:

The victim was seated in the front passenger seat of the auto driven by the newspaper carrier. The incident occurred shortly after sunrise while the co-worker was pulling the vehicle onto the shoulder of a two-lane county road in preparation for making a right turn into a driveway. She was traveling south at about 5 miles per hour, and steered the auto onto the shoulder of the southbound lane. The vehicle's hazard lights were flashing while she pulled off the road. Neither the victim nor the co-worker were wearing seatbelts at the time of the collision. The speed limit at the place where the incident occurred was 35 mph. Witnesses reported fog in the area at the time of the incident, with visibility of about one-quarter mile. Weather reports for that portion of the county included conditions of "mist" with a "low-ceiling, and 500-feet visibility".

An automobile was traveling at about 55 miles per hour in the southbound lane and struck the back of the newspaper delivery workers' auto. The impact pushed the workers' auto into the ditch and caused it to overturn onto the driver's side and burst into flames. The victim was tossed into the back seat by the collision, and the co-worker was ejected from the passenger side window. A resident of a house situated near the collision site ran outside when she heard the crash. She saw the co-worker lying in the road in front of the burning car, and pulled her away from the flames. A driver in another vehicle saw the burning vehicles from his rear-view mirror and summoned emergency services with his cell phone. The sheriff arrived at the scene within four minutes, followed by the fire department and EMS. After the flames were extinguished, the victim was extricated from the vehicle. He was pronounced dead at the scene. The drivers of both vehicles survived the collision, and were taken to the hospital. The co-worker is unable to return to work due to cognitive and physical disabilities that remain as a result of the collision.

CAUSE OF DEATH: The official cause of death was trauma and thermal burn injuries.

RECOMMENDATIONS/DISCUSSION

Recommendation #1: Employers should equip vehicles that must travel slowly and/or stop frequently with high- visibility flashing lights that can be seen from all directions, if such equipment is allowed in the employer's state.

Discussion: Vehicles that travel slowly or make frequent stops on public roads are vulnerable to rear-end collisions. Lighting equipment that is provided with automobiles and light trucks may not be adequate to alert other vehicles to the possible hazard of a slow-moving or stopped vehicle in the path of traffic. In the state where the incident occurred, optional lighting equipment that meets the following conditions would have been allowed:

"FLASHING WARNING LAMPS. (a) Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing, and when so equipped may display such warning in addition to any other warning signals required by this section. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night. Directional signals meeting the requirements of this chapter shall be used or lamps meeting these requirements, mounted so as to comply with turn signal installation.

Recommendation #2: Employers should ensure all travelers are trained in the proper use of vehicle safety features and drivers are trained in safe driving practices.

Discussion: Motor vehicle crashes are the leading cause of work-related deaths. Driver safety courses should be required for all employees who are required to travel as part of their work duties. The training plan should include information for passengers in the use of occupant restraints, including lap and shoulder belts and airbags. Specialized training should be included for driving in hazardous conditions, including fog, snow and ice-covered roads. In this case, neither the victim nor the co-worker were wearing a seat belts. The vehicle was equipped with front airbags where the driver and victim were seated, but the bags did not deploy in the rear-impact crash.

Recommendation #3: Agencies responsible for setting standards for highway safety should develop and enforce requirements for all occupants of moving vehicles to use occupant restraint systems whenever the vehicle is in motion.

Discussion: Occupant restraint systems, including pelvic and upper torso belts and airbags, are effective in preventing a motor vehicle occupant from injury during sudden stops, change of direction, collision and rollovers. In the state where the incident occurred, individuals (including children age 4 to 16) who exit the vehicle more than 10 stops per mile in the scope of their employment are exempt from state requirements for safety belt use. Implementing these exemptions may place the workers at risk of serious or fatal injury as they conduct their work activities on the public highways. Employers of workers who are not required by state law to use

seatbelts should develop and enforce company policies requiring seatbelt use at all times, and should require workers to occupy seat positions protected by airbag restraints.

REFERENCES

s. 347.26 (11) Wis Stats. (99-00)

s. 347.48 (2m) (dr) Wis. Stats. (99-00)